

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 17TH OCTOBER 2006 / 25TH ASWINA 1928

Bail Appl..No. 6176 of 2006()  
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CRIME NO.51/1999 OF PALLITHOTTAM POLICE STATION.

PETITIONERS/ACCUSED  
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1. STEEFAN, S/O.JOHNY,  
PANTHAL VEEDU, PURAYIDAM,  
KAIKKULANGARA WEST, KOLLAM WEST VILLAGE.
2. JOSEPH, S/O.JOHNY,  
PANTHAL VEEDU, PURAYIDAM,  
KAIKKULANGARA WEST, KOLLAM WEST VILLAGE.

BY ADV. SRI.C.RAJENDRAN

RESPONDENTS: COMPLAINANT  
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STATE OF KERALA, REPRESENTED BY  
SUB INSPECTOR OF POLICE, PALLITHOTTAM POLICE  
STATION THROUGH THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 17/10/2006, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:

**J.M. JAMES, J.**

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Bail Application No. 6176 of 2006  
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Dated this the 17<sup>th</sup> October, 2006.

**ORDER**

Petitioners are accused 81 and 82 in Crime No.51/1999 of Pallithottam Police Station, for the offence punishable under Sections 143, 147, 148, 151, 152, 332 and 307 IPC, read with Section 149 IPC, and also under Section 3(2)(a) of the Prevention of Damage to Public Property Act.

2. Heard both sides. The learned Public Prosecutor submitted that the petitioners were absconding. But the counsel for the petitioners submit that they were unaware of the pendency of the matter, and the police have unnecessarily arrayed many persons, including them, in the locality, so as to wreak vengeance on them. The learned counsel further submits that the ingredients of Section 307 IPC is not at all attracted. It is also submitted that the case is not committed to the Sessions Court.

3. In the above facts situation, I dispose of this application, directing the petitioners to surrender before the Judicial First Class Magistrate Court-II, Kollam, where the matter is pending in

respect of these petitioners, on 25.10.2006, at 11 A.M., and move application(s) for bail. The learned Magistrate, on surrender of the petitioners, shall hear both sides, and pass appropriate orders on merit.

**J.M. JAMES,  
JUDGE**

**nj.**